



**CITY OF SUMNER**  
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Community Development Department  
Paul Rogerson, AICP, Director

December 2, 2008

**RE: Final City of Sumner MDNS PLN 2008-00072**

Attached is an amended Mitigated Determination of Non Significance for a proposed development project on the 14200 block of 8<sup>th</sup> Street East in Sumner Washington. This MDNS amends the original determination issued on November 19, 2008 for the proposal.

This MDNS includes non-substantive changes to mitigation conditions made in response to comments received during the public comment period. The public comment period ended on December 1, 2008 and the MDNS is final.

A handwritten signature in cursive script that reads "Paul Rogerson".

Paul Rogerson, AICP  
Community Development Director  
Responsible Official  
City of Sumner



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Community Development Department

**MITIGATED DETERMINATION OF NON-SIGNIFICANCE**

Description of proposal:           **The proposal includes a development agreement, potential work within 200 feet of the White (Stuck) River and 140,000 cubic yards of fill, as well as the potential development of 324 residential units, and 84,000 square feet of commercial and office uses on 24.35 acres.**

Proponent:                               Mr. Robert Holler  
Greenwater Development, LLC  
1302 Puyallup Street  
Sumner, WA 98390

Project Number:                       PLN 2008-00072

Location of Proposal:                 142XX block of 8<sup>th</sup> Street East/Stewart Road Sumner, WA 98390

Parcel Number(s):                     0420014006, 0420014001, & 0420014057

Lead Agency:                          City of Sumner

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030 (2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

- There is no comment period for this DNS.
- This DNS is issued after using the optional DNS process in WAC 197-11-355. There is no further comment period on the DNS.
- This DNS is issued under 197-11-340 (2); the lead agency will not act on this proposal for 14 days from the date below.

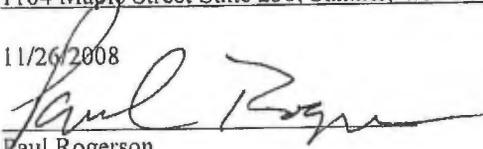
Responsible Official:    Paul Rogerson

Position/Title:           Director of Community Development

Phone:                     (253) 299-5521

Address:                  1104 Maple Street Suite 250, Sumner, WA 98390

Date:                        11/26/2008

Signature:                  
Paul Rogerson

Published:                 11/19/2008

## City of Sumner

### SEPA MITIGATION MEASURES

Description of proposal:           **The proposal includes a development agreement, potential work within 200 feet of the White (Stuck) River and 140,000 cubic yards of fill, as well as the potential development of 324 residential units, and 84,000 square feet of commercial and office uses on 24.35 acres.**

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- 1) Wetland buffer during construction phase shall be protected with construction and silt fencing.
- 2) The wetland buffer, adjacent to the wetland on the southwest corner of the property, except for the area adjacent to the sewer lift station, shall be delineated with an open rail or other similar type of fence approved by city staff prior to Certificate of Occupancy of any structure.
- 3) All trails, structures, and infrastructure will not be allowed within the Category II wetland buffer.
- 4) A Substantial Shoreline Development Permit shall be obtained prior to construction if any work is proposed within jurisdiction of the Sumner Shoreline Master Program.
- 5) The 100 foot shoreline buffer shall be measured from the Ordinary High Water Mark or Floodway, whichever is further landward.
- 6) The applicant shall submit a landscape plan for city review and approval that includes measures along the west property line to mitigate potential impacts of light, glare and noise from the adjacent light industrial property. The measures should include:
  - a. No residential structure within 75 feet of the west property line, provided that a garage or carport shall not be considered a residential structure;
  - b. A site-obscuring fence or vegetative landscape screen along that portion of the west property line located south of the proposed City/County storm water facility and north of the sewer lift station within the twelve foot sewer easement area that is designed to screen ground floor residential units from light and glare from vehicles on the adjacent light industrial property.
- 7) For each structure, school impact fees shall be paid to the Dieringer School District consistent with the requirements of SMC 16.04.190, or other substantive authority, as enacted at time of building permit application. Such fees shall be paid prior to building permit issuance.
- 8) A school bus turn-around and pickup shall be provided for onsite.

- 9) For each structure, fire and park impact fees shall be paid prior to building permit issuance, unless applicant has written approval from the City to provide improvements, as identified in item #16, in place of said park impact fees.
- 10) The applicant shall submit a traffic impact analysis to the City for review and approval prior to issuance of building permits. The applicant and the City shall agree on the scope of the TIA prior to its preparation. The traffic impact analysis can be based upon any existing current traffic studies that include the project site and shall evaluate the impacts on levels of service, transportation concurrency, and mitigation of offsite impacts. Traffic impact fees under SMC 12.36 and installation of the traffic signal required by mitigation measure (15) shall be included as part of determining the applicant's appropriate share of and contribution to any off-site traffic mitigation, and such signal costs shall not be applied to offset any imposed traffic impact fees.
- 11) The site currently is not served by City of Sumner water mains. However, water mains that will serve the site are included within the City/County Stewart Road Improvement Project (CIP2007-00012). The proposal will contribute right of way and other easements necessary to permit construction of the Stewart Road Improvement Project, consistent with the terms of the Purchase and Sale Agreement and Development Agreement approved by the City and the property owner on December 1, 2008. If the City/County do not proceed with construction of the Stewart Road Improvement Project, then development on the site may not proceed unless/until water mains of adequate size are extended to and through the site in accordance with the water comprehensive plan.
- 12) The site currently is not served by City of Sumner sanitary sewer mains. However, sewer mains and a sewer lift station are the subject of a Local Improvement District that has already been approved by the City. The proposal is included with this sewer LID (CIP2005-0010 #76) and is obligated to pay a portion of the cost of this LID to construct these sewer improvements. Payment of the sewer LID assessment and City construction of the sewer improvements pursuant to that sewer LID will adequately mitigate impacts regarding sanitary sewer to serve the site. If, for some reason, the City does not construct the sewer LID improvements, then development on the site may not proceed unless/until the sewer system improvements necessary to provide sewer service to the site are constructed by Greenwater, or others.
- 13) The City/County Stewart Road Improvement Project (CIP2004-00010) includes Stewart Road Frontage improvements sufficient to meet Principal Arterial standards. The proposal will contribute right of way and other easements necessary to permit construction of the Stewart Road improvements, consistent with the terms of the Purchase and Sale Agreement and Development agreement approved by the City and the property owner on December 1, 2008. If the City/County do not proceed with construction of the Stewart Road Improvement Project, then development on the site may not proceed unless/until adequate improvements are made to Stewart Road consistent with Principal Arterial standards, either by the developer, or by some legal mechanism to share costs on a pro-rata basis among benefitting parties. The TIA described in mitigation measure 15 shall identify the improvements necessary to mitigate impacts from the proposal, if, at the time the TIA is submitted, the City/County Stewart Road Improvement Project has not commenced construction.
- 14) Items 11-13 are required to be completed with the proposed project unless they have already been completed by some other means. The project may not proceed on the basis of "future" improvements by others.
- 15) The applicant shall install and pay for all costs associated with a traffic signal, including the cost of conduit and other associated appurtenances, at the proposed intersection that provides access to the South Property and North Property, no later than issuance of the Certificate of Occupancy for the Commercial portion of the South Property. The City/County Stewart Road Improvement Project will include conduit and intersection design elements necessary to allow installation of this signal by the applicant with minimal impact to the Stewart Road Improvements.

- 16) Applicant shall be required to construct a trail along the southern Stewart Road Frontage between the new intersection and the new north-south trail being constructed by the City as part of the Stewart Road Improvement Project along the relocated stream area. Applicant shall widen the sidewalk being constructed by the City from 5 feet to a total of 12 feet (7 feet additional width). This trail shall be constructed consistent with the sidewalk plans from the Stewart Road Improvement Project. Applicant shall receive a credit towards park impact fees in the amount of the reasonable construction costs for this trail, as determined mutually by the parties. Any amount left over after such credit shall be applied as a credit towards applicant's trail impact fees for the property owned by applicant on the north side of Stewart Road.
- 17) An approved addressable, automatic and manual fire alarm system is required in all structures 5,000 gross square feet or more (SMC 15.24). Separate permit and submittal is required.
- 18) An approved automatic sprinkler system is required in all structures 5,000 gross square feet or more (SMC 15.24). Separate permit and submittal is required and shall include underground.
- 19) A separate submittal for sprinkler underground shall be included on sprinkler plans or by separate permit submittal.
- 20) Sprinkler underground shall be designed by a WA State certified level U designer or engineer. Installation shall be conducted by a WA State licensed and certified level III contractor.
- 21) Fire access lanes shall have an unobstructed width of 20 feet (SMC 15.24). The minimum inside turning radius for access roads/lanes shall be 28 feet and shall provide apparatus access to within 150 feet of all exterior walls of the structure. If the access road is over 150 feet in length and dead ends, then an approved 90 foot cul-de-sac turnaround is required.
- 22) Fire hydrants shall have a lateral spacing of 330 feet on site and shall be a minimum of 50 feet from the structure they serve. Locations shall be approved by the Fire Marshal (SMC 15.28).
- 23) All electric gates required to have Optcom or Knox key over ride.
- 24) Foundation requirements for structures shall be in compliance with a geotechnical report prepared by an appropriate Washington State licensed design professional. A copy of this report shall be included in the application documents for the building permit.
- 25) Construction shall comply with all adopted codes of the City of Sumner including energy, accessibility, ventilation and indoor air quality, automatic sprinkler systems and fire alarm systems.
- 26) Construction documents shall be prepared and stamped by a Washington State licensed design professional. Provide structural calculations.